IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 6087 of 2007(Y)

PETITIONER:

N.V.BALAKRISHNAN,AGED 57 YEARS,
S/O. N.R.VELAYUDHAN,SUB ENGINEER(RTD.),
ELECTRICAL SECTION, PERINGOTTUKARA,
RESIDING AT NELLIPARAMBIL HOUSE,
ELTHURUTHU P.O., THRISSUR.

BY ADV. SRI.G.D.PANICKER
SMT.JEENA JOSEPH

RESPONDENTS:

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1. CHAIRMAN,
KERALA STATE ELECTRICITY BOARD,
THIRUVANANTHAPURAM.

2. KERALA STATE ELECTRICITY BOARD REP.BY
SECRETARY, VAIDYUTHI BHAVAN,
THIRUVANANTHAPURAM.

BY SC SRI.K.S.ANIL KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.6087 of 2007

Dated this the 13th day of March, 2007

JUDGMENT

The petitioner retired on 31.12.2003 while working as Sub Engineer in the Kerala State Electricity Board. Disciplinary proceedings pending against him have been finalised as per Ext.P13 proceedings of the Chairman of the Board passed on 24.1.2007. Last paragraph of Ext.P13 says that a lenient view is taken in the case of the petitioner and it has been decided to drop the punishment imposed by the Chief Engineer (HRM). The grievance of the petitioner is that the benefits consequent on Ext.P13 have not been granted to him by the subordinate authorities. He has filed Ext.P14 representation before the Secretary of the respondent Board requesting to grant him the following reliefs:

> i) issue a writ of certiorari or any writ or order to quash the finding of the first respondent to the extent that there is no merit in the appeal;

ii) issue a writ of mandamus or any other writ or direction or order directing the respondents to grant the financial benefit on account of dropping the punishment;

iii) direct the respondents to promote the petitioner as Asst.Engineer from the date of promotion of his junior and grant all consequent pecuniary benefits arising therefrom;

iv) direct the respondents to revise pension and other pensionary benefits immediately on account of 1 and 2 above;

2. I have heard the Laision Officer for the respondent Board.

3. It is only appropriate that the Secretary of the respondent Board takes up for consideration Ext.P14 in the light of Ext.P13 and pass orders in accordance with law, as expeditiously as possible. Hence, there shall be a direction that the Secretary of the Board shall dispose of Ext.P14 within six weeks from the date of receipt of a copy of the judgment. Benefits that are found payable shall be worked out and paid to the petitioner within two months thereafter.

K.K.DENESAN, JUDGE

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